

**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
OFFICE OF CONSERVATION AND COASTAL LANDS  
Honolulu, Hawaii**

CDUA: OA-3351

180-Day Exp. Date: December 17, 2006

October 13, 2006

**Board of Land and  
Natural Resources  
State of Hawaii  
Honolulu, Hawaii**

**REGARDING:** Conservation District Use Application (CDUA) OA-3351  
for the Kalihi Valley Nature Park and Active Living Center

**APPLICANT:** Kokua Kalihi Valley  
General Lease SP-0042

**LANDOWNER:** State of Hawaii  
Parks Division

**LOCATION:** 3659 Kalihi Street  
Kalihi Uka Oahu

**TMKs:** (1) 1-4-014:001

**AREA OF PARCEL** 57.4 acres

**USE:** 20 acres

**SUBZONE:** Resource

**BACKGROUND:**

According to the applicant, in the 1970's, the Urban portion of this proposed Park area was slated for development of a residential subdivision. In response to community concerns, the City and County of Honolulu purchased the land for a park in the 1980's. The area was conveyed to the State in a land exchange in 1997. The State Parks Division currently has jurisdiction over the site (**Exhibit 1 & 2**).

On December 10, 2004, the Board of Land and Natural Resources (Board) approved a 20-year lease between the State of Hawaii and the applicant, Kokua Kalihi Valley

(KKV). The applicant is to develop and operate a Nature Park on behalf of State Parks, for public use. Under the terms of the lease, DLNR-State Parks has the responsibility to perform regular review to assure that KKV's improvements and activities are consistent with park use. According to the applicant, the goal is to create a facility in Kalihi Valley to promote active living, cultural learning, and watershed-based environmental stewardship.

## **DESCRIPTION OF AREA AND CURRENT USE**

The proposed project site is a portion of approximately 100 acres of public land. The Park proposal is located at the head of Kalihi valley and the entire area stretches from the center of Kalihi Stream to the top of Kamaikai Ridge. Access to the site is at the mauka end of Kalihi Street, past the last wooden bridge. Approximately 42 acres of the project area is designated within the Urban State Land Use District and approximately 57 acres of upslope land nearest the crest of Kamaikai Ridge are designated as Conservation land (**Exhibit 3**).

According to the applicant, the conservation portion of the site contains a wide plateau about halfway up the slope of the ridge. Above this plateau, are steep valley walls. The gullies climb to become narrow gulches steeping up with sheer rock cliffs and dry waterfalls. The slope of Kamaikai Ridge on the southern half of the site is classified as rock land.

Prior to western contact, the people of the land intensively cultivated the park site. It is believed that the valley floor was stripped of its original flora to make way for native food crops. In the past 200 years, grazing animals converted much of the valley into grasslands. The site has been reforested by the introduction of exotic tree species planted by the government and former tenants. A botanical survey done in March 2005 found no rare or endangered plants anywhere on the 100-acre park site.

Vegetation above the 700-foot elevation consists of old alien forest with some native plants such as ohia, koa, hapuu pulu, ieie, papala kepau, mamaki, lama, alahee, and uluhe. The native plants observed here were once common mesic forest plants. The vegetation of the steep valley wall portion of the parcel is largely dominated by introduced alien plant species such as albesia, rose apple and bamboo.

According to the applicant, the higher slopes of the Koolau Range provide habitat for the elepaio. And the upper elevations of the property are included in U.S. Fish and Wildlife Service designated Elepaio Critical Habitat. Alien animal species that are known to inhabit the park include a wide range of introduced birds. Feral pigs are known to visit the property. A colony of Australian brush-tailed Rock wallaby has been established nearby and there is evidence that some wallabies visit the park site.

A thick, uninterrupted canopy of trees hides views from Likelike Highway across the valley to the proposed park site. Many trees bordered by thick foliage obscure views of the site and existing structures.

The wide plateau about halfway up the slope of the ridge is the previous site of the mauka nursery operation. The former tenants have previously graded the site. The nurseries were abandoned and the land has been unused for more than two decades. Areas that were open when the nurseries were in operation have since been overgrown.

According to the applicant, existing structures include a 4-bedroom, 2-bath, plantation-style home and 3 metal warehouse structures from the old plant nursery on the site and a small teahouse. A chain link fence runs along the lower boundary of the parcel. Improvements on the site are from the former use. The built structures were not of historic quality worthy of protection or listing on the State or Federal Register of Historic Properties (**Exhibit 4**).

Access to the site is by footpath and private driveway from Kalihi Street. The private driveway is no longer passable by vehicle and must be re-built. The site was previously served by electricity. Municipal water was available at one time to the site. The former home is served by an individual wastewater system. The former water catchment system has been dismantled.

According to the applicant, the old nursery operations on the site could have utilized chemicals that have entered the soil or remain stored in old containers. An investigation showed that no trace of harmful chemicals in or around the equipment and debris that remains on site. The study recommends that existing debris be carefully removed and soil sampling take place if stained soil or distressed vegetation is observed. Standard precautions relating to lead paint that may exist in the old home shall be observed.

A cultural impact assessment was completed in July of 2005. Recommendations for culturally sensitive and environmentally restorative activities and practices would serve to mitigate any negative impact and provide access and opportunities for Native Hawaiians to practice, perpetuate and educate others.

## **PROPOSED USE**

The applicant, Kokua Kalihi Valley, a non-profit community organization proposes to develop the Kalihi Valley Nature Park and Active Living Center. Within the Conservation District, the applicant is proposing the creation of new pedestrian pathways and hiking trails, a nature camp with a bunk house and a tent camping area. Existing structures will be renovated or repaired within their existing footprint. Remnant nursery materials such as pipes and planters will be removed. An existing teahouse is beyond repair and shall be demolished by hand. Compost toilet facilities, shelters with picnic tables, tent pads and platforms and a fire circle are also proposed to be constructed (**Exhibit 5 & 6**).

According to the application, Kalihi Valley Nature Park and Active Living Center shall utilize sustainable systems of human habitation such as composting and installation of solar or other sources of renewable power. Potable water use will be minimized by the rainwater catchment system. Design of structures will employ natural ventilation rather than air conditioning. Recycled materials will be employed in construction and renovation of park facilities. In some cases, human labor shall provide the power rather than power equipment.

According to the application, within the Conservation District, above the 700-foot contour, the area has not yet been surveyed. According to the applicant, all the archaeological resources on the site will be professionally surveyed and inventoried. Professional archaeologists shall perform appropriate mapping of features. A preservation plan shall be drafted to assure that any activities shall not endanger the existing sites. Existing archaeological sites shall be surveyed, protected, and in some cases restored, enhanced, protected and rejuvenated for traditional use and productive agricultural use. Many of the sites shall be protected in their current state and marked with interpretive signage to educate visitors on the history of agricultural land use in Kalihi valley. Some sites may serve as living laboratories for students of archaeology.

#### NATURE CAMP AND OVERNIGHT ACCOMMODATIONS IN BUNKHOUSE

The existing home will be restored and utilized as a bunkhouse for as many as 16 individuals. According to the applicant, the house will remain on rain catchment water and its existing septic system. It is possible to restore electrical service to the structure. The bunkhouse would be made available to community groups such as youth or scouting organizations.

Over time, the surrounding old nursery "warehouse" structures could be utilized to provide space for the practice of crafts such as wood and canoe carving and other activities. The forest could host a ropes course or similar features designed to encourage team building, physical and mental growth and provide an alternative to urban activities.

#### WALK IN TENT CAMP SITES

Previously used lands that were part of the plant nursery operation could accommodate day camp activities. There shall be some clearing of existing exotic trees and underbrush. A limited number of overnight tent camping sites will be developed here for community use. Service vehicle access to the mauka site would be re-established. The camp is to be maintained as a "primitive" site without hot water or electricity. The number of day and overnight campers will be controlled to assure that the site will be maintained as a place for quiet enjoyment of the natural surroundings. A fire pit, gathering area and six yurts along with composting toilets are proposed.

## HIKING

The proposal will establish a public access from Kalihi Street to the informal trail along the top of Kamanaiki Ridge. The development of the Park will provide enhanced access to the hiking path that leads up Kamanaiki ridge toward the Ko'olau summit and access for feral pig control applications. Humane methods will be utilized to control the pig population in the park area.

## EXOTIC SPECIES REMOVAL AND NATIVE TREE REFORESTATION

The area is densely vegetated and will remain so. An active program of alien pest species eradication will be part of the park operation. The former nursery on the site introduced miconia. This and other exotic species such as clidemia, rose apple, and bamboo will be carefully removed from the site over time and replaced by native plants such as ohia, koa and kou. Reforestation shall be by volunteer community efforts. No more than an acre of land shall be in implementation at one time. No major earth moving is planned. Soils will be exposed to erosion during gardening and tree clearing activities. Exposed land will be quickly re-vegetated.

The passive use of the site is not expected to increase traffic to the site. Off-street parking will be provided for users of the park and center. Temporary noise is expected from tree removal and trimming and construction operations. Temporary noise shall be mitigated by adherence to applicable State and City noise controls. A buffer area will be included in the park design to assure an adequate distance between park users and nearby residents. All overnight visitors to the bunkhouse or tent camps will follow a night "quiet time." No amplified sound system shall be allowed at the nature camp.

It is believed that the proposal shall have only minor, short term impacts on environmental quality caused by small-scale construction and the removal and replacement of vegetation and trees. The applicant shall adopt park rules similar to the Hawaii Administrative Rules (HAR) § 13-146. Commercial uses, as defined by State law shall not be allowed on State Park grounds.

## ALTERNATIVES

Under the no action alternative, the site would remain undeveloped and remnants of cultural sites would continue to decay and alien species would continue to invade the area.

Under the partial action alternative, only a portion of the proposed activities would be realized. What portions would be implemented would be dependent on community support, financial support and the extent of discovery of unknown impeding factors as development progresses.

## SUMMARY OF COMMENTS

The application was referred to the following agencies for their review and comment: the **State:** Department of Health, Office of Hawaiian Affairs, Office of Environmental Quality Control, Department of Land & Natural Resources Divisions of: Forestry and Wildlife, Oahu District Land Office, Conservation & Resource Enforcement, Na Ala Hele and Historic Preservation. The **City and County of Honolulu:** Department of Planning and Permitting and the Kalihi Valley Neighborhood Board. In addition, the CDUA was also sent to the nearest public library, the Liliha Library and the Kalihi-Palama Public Library, to make this information readily available to those who may wish to review it.

Comments were received and summarized from the following agencies:

### STATE OF HAWAII

#### OFFICE OF HAWAIIAN AFFAIRS

No comments

#### DEPARTMENT OF LAND AND NATURAL RESOURCES (DLNR)

##### *Division of Forestry and Wildlife (DOFAW)*

1. The Applicant must heed Department of Planning and Permitting comments regarding potential boulder hazards and unstable slopes uphill of the project site. Recent storm and rockfall events give reason for the applicant to seriously seek professional expertise in regards to geo-hazard potential. The applicant should hold harmless and indemnify the State from any injuries and/or damages caused by any rockfall or flooding on or adjacent to subject premises.
2. Regarding the Elepaio Critical Habitat, we note that a trail is planned within or in close proximity to it. Construction and use if the trail should be prohibited during active breeding/nesting season.
3. We also note that the composting toilet and several yurts are downwind of the planned fire pit and gathering area. Its suggested that any fires built in the campfire area is small enough so as not to place structures and camp users in jeopardy from flying embers and smoke.

##### *Applicant's response*

1. The bunkhouse and campground areas are well below the steep upper section of Kamanaiki Ridge. A side ridge near the campground is thickly vegetated with currently no evidence of any precarious outcroppings of rock or loose boulders.

A plant nursery used the areas for decades. We have not found any damage or evidence of any rockslides in the area. No development is proposed mauka of the campground. There will be no development or alteration of the natural landscape that would exacerbate natural erosion processes. Should any boulders or rock outcroppings come to our attention, we shall seek professional expertise. The State is held harmless and indemnified from injuries and/or damages under our insurance policy as required by the conditions of our lease with State Parks.

2. Only a small triangular section of the highest elevations of the park intersect with the Elepaio Critical Habitat. A Representative of the U.S. Fish and Wildlife Service stated that there would be no reason to restrict trail building or access during Elepaio breeding and nesting seasons and it is not done on any other trail intersecting Elepaio Critical Habitat.
3. Plans will be adjusted by moving the yurts and composting toilet to avoid the jeopardy from embers and smoke. There will always be a camp supervisor present when groups use the campground to monitor the size of campfires. Rules concerning fires will be given to all campground users and posted near the fire area.

#### *Na Ala Hele*

The application only refers to the trails as "hiking trails" with no mention or consideration to multiuse on the trails. Some consideration could have been made for mountain biking and or equestrian use within the valley. These types of trail activities are well-recognized recreational use and should be considered whenever establishing new recreational areas. The Oahu Na Ala Hele program would like to see a justification as to why or why not these trail uses/activities were not considered.

#### *Applicant's response*

Consideration has been made for mountain biking trails within the park. Our bicycle exchange program coordinator has experience in construction trails and organizing mountain bike activities including races. He has flagged out a proposed route for a training trail to provide a safe area to learn the appropriate techniques for trail riding. We also have long term plans to construct a longer mountain bike trail that will overlap in some portions with planned hiking trails.

We have considered the possibility of equestrian use, however we have concluded that there would not be a large demand since there are no horses in Kalihi valley that could easily access the site. The park is not able to take on the purchase, housing, and care of horses for the foreseeable future. We will not be including equestrian uses of the park at this time.

*Oahu District Land Office (ODLO)*

No comment

*Historic Preservation Division (SHPD)*

According to the Environmental Assessment, historically significant sites are present on the parcel. We understand that archaeological inventory survey of the property is ongoing, and that documented sites will be preserved, restored, and incorporated into the Nature Park. If the recommendations of the inventory survey are carried and approved by the Historic Preservation Division, we believe the proposed undertaking will have "no adverse effect" on historically significant resources. In addition, we request that the State Historic Preservation Division Architecture Branch be consulted regarding the proposed renovations to the existing structures located on the property.

*Applicant's Response*

The archaeological inventory survey is being finalized. Upon completion, we shall forward it to SHPD for approval and follow the recommendations in the survey. DLNR's State Park Division will conduct the Archeological Restoration Plan in-house. The plan will focus on the rebuilding of agricultural and drainage walls that have collapsed. When completed, we will forward the restoration plan to SHPD for comments prior to any restoration work. An experienced professional under a grant received from OHA will do Restoration.

*Parks Division (SP)*

The organization proposing the development will be using lands under our jurisdiction and has been working with the Division throughout the refinement of its proposal.

CITY AND COUNTY OF HONOLULU

DEPARTMENT OF PLANNING AND PERMITTING

*Civil Engineering Branch*

1. The application states, "No major grading is proposed." The applicant should provide an earthwork summary (i.e. estimated cut/fill quantities and area of grading), since a grading permit may be required.
2. The applicant should discuss whether there are any potential boulder hazards and/or unstable slopes on the project site and appropriate mitigation measures, if required.
3. The applicant should clarify what impact the project will have to the wooden bridge, which has a posted weight limit of ten (10) tons.



*Wastewater Branch*

There are numerous inadequate downstream sewer lines. The Kalihi Valley Reconstructed Sewer Project is in the planning stage, and will address many of these inadequacies. There is no projected finish date for the completion of construction of this project. These sewer limitations should not affect this project. The CDUA response regarding public health should be: "Sanitation and utility needs will be met on site within the existing community infrastructure."

*Land Use Permits Division*

We had previously determined that the proposed use is considered a "public use and structure" for the purposes of the Land Use Ordinance (LUO), which is permitted in all zoning district. Nevertheless, the LUO has no jurisdiction in the P-1 restricted Preservation District, which corresponds to the State Land Use Conservation District.

*Applicant's Response*

There will be no cutting or filling on the property. We will make use of existing terraces and driveways for all planned development. The bunkhouse and campground areas are well below the steep upper section of Kamaikai Ridge. A side ridge near the campground is thickly vegetated with currently no evidence of any precarious outcroppings of rock or loose boulders. A plant nursery used the areas for decades. We have not found any damage or evidence of any rockslides in the area. No development is proposed mauka of the campground. There will be no development or alteration of the natural landscape that would exacerbate natural erosion processes. Should any boulders or rock outcroppings come to our attention, we shall seek professional expertise. The State is held harmless and indemnified from injuries and/or damages under our insurance policy as required by the conditions of our lease with State Parks.

There will be no impact to the wooden bridge since we will not exceed the weight limit of 10 tons. If a larger truck is needed to haul out the debris left by previous tenants, the debris will be brought across the bridge by front end loader or smaller trucks and transferred to the larger truck parked before the bridge.

The campground and bunkhouse area will not be connected to the sewer line. Sanitation and utility needs will be met on site within the existing community infrastructure.

**KALIHI VALLEY NEIGHBORHOOD BOARD**

We are extremely pleased to be able to convey our full support for the Kalihi Valley Nature Park. We have been following the planning through presentations and public forums since the idea for a nature park was first considered. We have engaged with the program planners along the way and have offered ideas and comments throughout the process.

The proposal will provide Kalihi Valley with sorely lacking public park activities. Being an older community we are quite limited on the ability to add park space and thus the Kalihi Nature Park is being seen as a unique and superb needed community resource.

**STAFF NOTES:** According to the applicant, a Geologist has examined the site in regards to rockfall hazard. The Geologist believes the rockfall hazard at the site is low. Fallen rocks were not observed but it was noted that it would be difficult to spot rocks because of the thick vegetation. The ridge appears to have an approximate slope of 30 to 45 degrees. Because it is unknown if there are any potential rockfall source zones, a setback from the base of the ridge was suggested to mitigate the potential hazard. For safety, the campground and inhabited structures should be kept at least 150 feet from the base of the steep slope. The highest bench or slope should not be used for camping due to possible rockfall hazard.

## ANALYSIS

Following review and acceptance for processing, by correspondence dated June 20, 2006 the Department has found that:

1. The proposed use is an identified land use in the Resource subzone of the Conservation District, pursuant to §13-5-22, HAR, P-6, PUBLIC PURPOSE USES, D-2, Transportation systems, transmission facilities for public utilities, water systems, energy generation facilities utilizing the renewable resources of the area and communications systems and other such land uses which are undertaken by non-governmental entities which benefit the public and are consistent with the purpose of the Conservation District. Please be advised, however, that this finding does not constitute approval of the proposal;
2. Pursuant to §13-5-40 of the HAR, a Public Hearing will not be required;
3. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, a finding of no significant impact (FONSI) to the environment was published in the June 8, 2006 Environmental Notice;
4. The subject area is not within the Special Management Area.

This CDUA was noted in the July 8, 2006 edition of OEQC's Environmental Notice.

## CONSERVATION DISTRICT CRITERIA

The following discussion evaluates the merits of the proposed land use by applying the criteria established in Section 13-5-30, HAR.

1. *The proposed land use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect and preserve the important natural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare.

Staff believes the proposal shall sustain the preservation of the natural resources, views and recreation opportunities for future generations. In addition, the proposal fulfills the objective of a State Park.

2. *The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur.*

The objective of the Resource subzone is to develop, with proper management, areas to ensure sustained use of the natural resources of those areas. The proposed use is an identified land use that is consistent with the resource subzone that encompasses land uses such as park, growing forest products and outdoor recreation such as hiking, camping and picnicking.

3. *The proposed land use complies with provisions and guidelines contained in Chapter 205, HRS, entitled "Coastal Zone Management," where applicable.*

Staff believes the proposed project complies with Chapter 205, HRS. The project area is not within a Special Management Area.

4. *The proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community, or region.*

Staff believes the proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community or region. The area is not easily seen from any public or private vantage point. No new structures or site clearing will significantly affect visual resources. The park will remain verdant and well forested. A wide buffer will be maintained between park activities and neighboring residences to minimize visual and noise impacts.

Short-term noise and air quality impacts that may occur during renovation of existing structures shall be minimized by adherence to applicable state and county rules.

5. *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding area, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

The nature camp is located between watershed lands and a residential community. Staff believes that the proposed use is compatible with the locality and surrounding area, appropriate to the physical conditions and capabilities of the land.

6. *The existing physical and environmental aspect of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, which ever is applicable.*

Staff believes the existing physical and environmental aspect of the land such as the natural beauty of the land and open space characteristics will be preserved and enhanced by the proposal. An active program of alien pest species eradication will be part of the park operation and the restoration of native forest is also proposed.

7. *Subdivision of the land will not be utilized to increase the intensity of land uses in the Conservation District.*

There will be no subdivision of land for this proposed project.

8. *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

The implementation of the proposed land use will improve public health by encouraging more active, healthy lifestyles. Staff believes that the project will not increase risks to public safety beyond those inherent to outdoor activity. Existing debris and abandoned vehicles that litter the site will be removed.

## DISCUSSION

Staff believes the proposal shall provide the public with an alternative public park space in urban Honolulu. Access to the mountains and forested areas near urban Honolulu are very limited. The proposal fulfills the objective of State Parks and the Resource subzone by creating access to more outdoor recreational activities that encourages individuals to be physically active and a part of nature rather than apart from nature. Through forest restoration, preservation and rejuvenation of the land and sites, development of trails and interpretive signage, and overnight accommodations, the Park will enhance and create experiences of understanding and sensitivity to the natural world.

The proposal has received strong public support and shall provide Kalihi Valley with sorely lacking public park activities. The Neighborhood Board has stated that the Kalihi Valley Nature Park shall be a unique and welcomed community resource to promote active living, cultural learning, and watershed-based environmental stewardship. The community has engaged with the program planners along the way and has offered ideas and comments throughout the process.

A cultural impact assessment was completed in July of 2005. Recommendations for culturally sensitive and environmentally restorative activities and practices would serve to mitigate any negative impact and provide access and opportunities for Native Hawaiians to practice, perpetuate and educate others. Existing archaeological sites shall

be surveyed, protected, and in some cases restored, enhanced, protected and rejuvenated for traditional use and productive agricultural use. A preservation plan shall be drafted to assure that any activities shall not endanger the existing sites. Portions of the network of walls will be restored by experts in Hawaiian stonework and made available for active planting with native crops. Many of the sites shall be protected in their current state and marked with interpretive signage to educate visitors on the history of agricultural land use in Kalihi valley.

Under the terms of the lease, DLNR-State Parks has the responsibility to perform regular review to assure that KKV's improvements and activities are consistent with park use. According to the applicant, the goal is to create a facility in Kalihi Valley to promote active living, cultural learning, and watershed-based environmental stewardship. The applicant shall adopt park rules similar to the Hawaii Administrative Rules (HAR) §13-146.

#### **RECOMMENDATION:**

Based on the preceding analysis, Staff recommends that the Board of Land and Natural Resources APPROVE Conservation District Use Application OA-3351 for the Kalihi Valley Nature Park and Active Lining Center located at Kalihi-uka, island of Oahu, TMK: (1) 1-4-014:001 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State, and County governments, and applicable parts of the Hawaii Administrative Rules, Chapter 13-5;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall comply with all applicable Department of Health administrative rules. Particular attention should be paid to Hawaii Administrative Rules (HAR) Section 11-60.1-33, "Fugitive Dust" and to Chapter 11-46, "Community Noise Control" if applicable;
4. All hazardous materials discovered within the Conservation District shall be removed utilizing best management practices and standard precautions;
5. Any work done or construction to be done on the land shall be initiated within two years of the approval of such use, in accordance with construction plans that have been signed by the Chairperson, and, unless otherwise authorized, shall be completed within three (3) years of the approval. The applicant shall notify the

Department in writing when construction activity is initiated and when it is completed;

6. All representations relative to mitigation set forth in the accepted environmental assessment or impact statement for the proposed use are incorporated as conditions of the permit;
7. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;
8. In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
9. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
10. Cleared areas shall be revegetated within thirty (30) days unless otherwise provided for in a plan on file with and approved with the department;
11. All activities connected with the project shall be contained within the project area as identified in the application;
12. The approved work shall not hamper, impede or otherwise limit the exercise of traditional, customary or religious practices in the immediate area, to the extent such practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;
13. All new landscaping will be endemic or indigenous plant species;
14. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
15. A preservation plan shall be drafted and approved by the State Historic Preservation Division to assure that any activities shall not endanger the existing sites;
16. Other terms and conditions as may be prescribed by the Chairperson; and

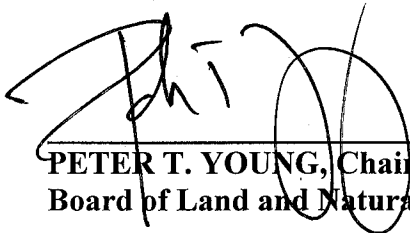
17. Failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Respectfully submitted,



K. Tiger Mills, Staff Planner  
Office of Conservation and Coastal Lands

Approved for submittal:



PETER T. YOUNG, Chairperson  
Board of Land and Natural Resources

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Project area





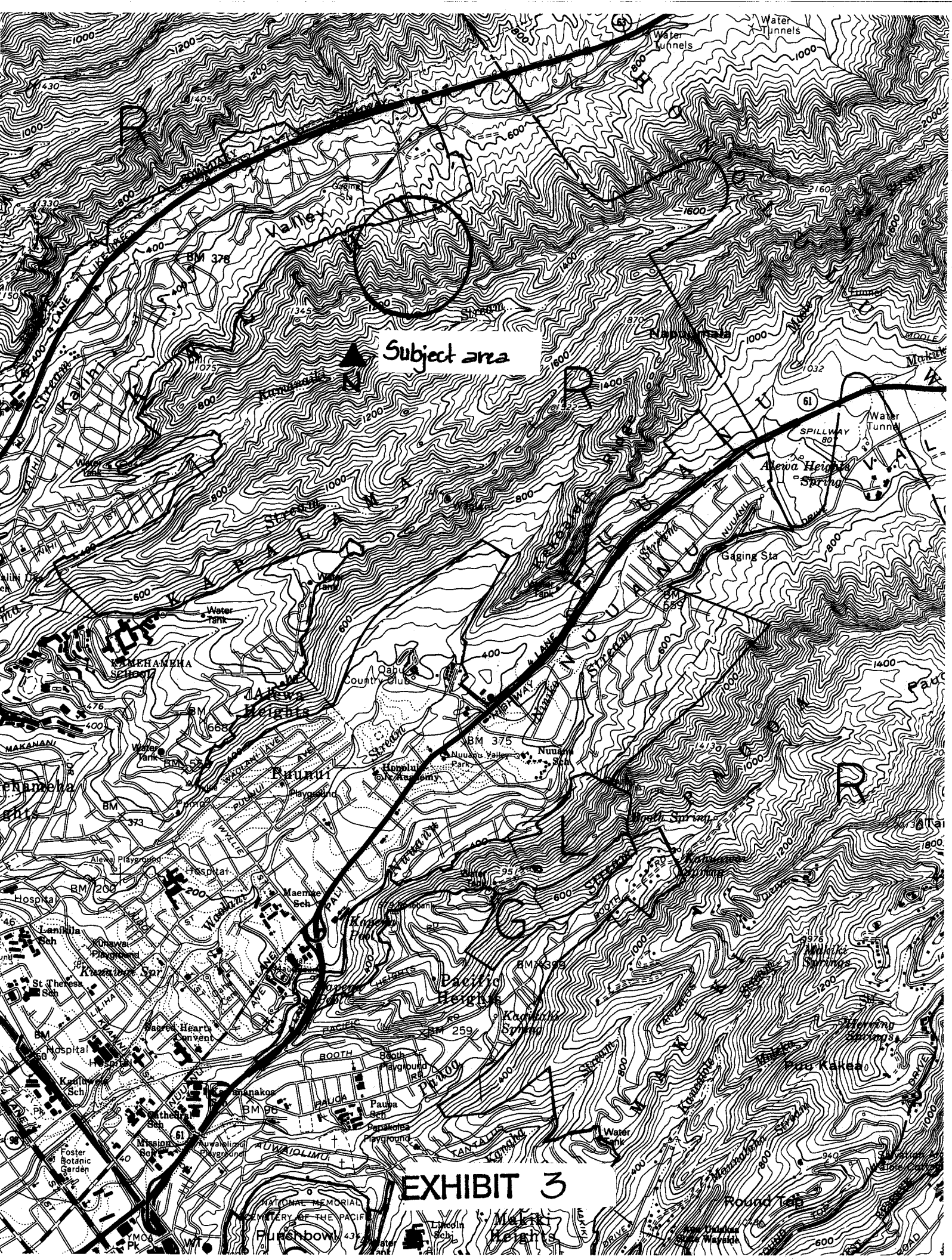




Photo #3. Old nursery house to be renovated for "bunkhouse" and over night accommodations for youth and service groups

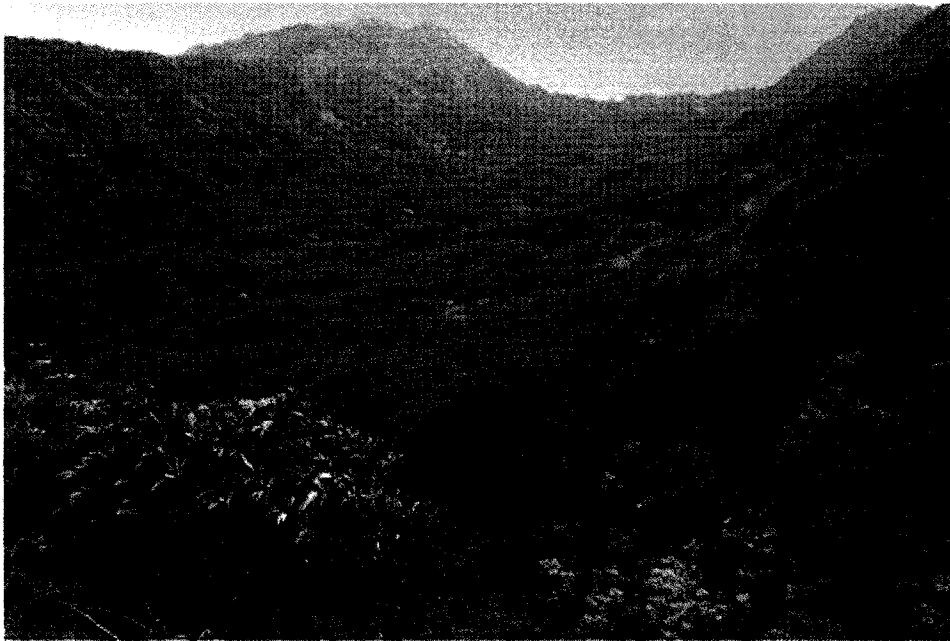
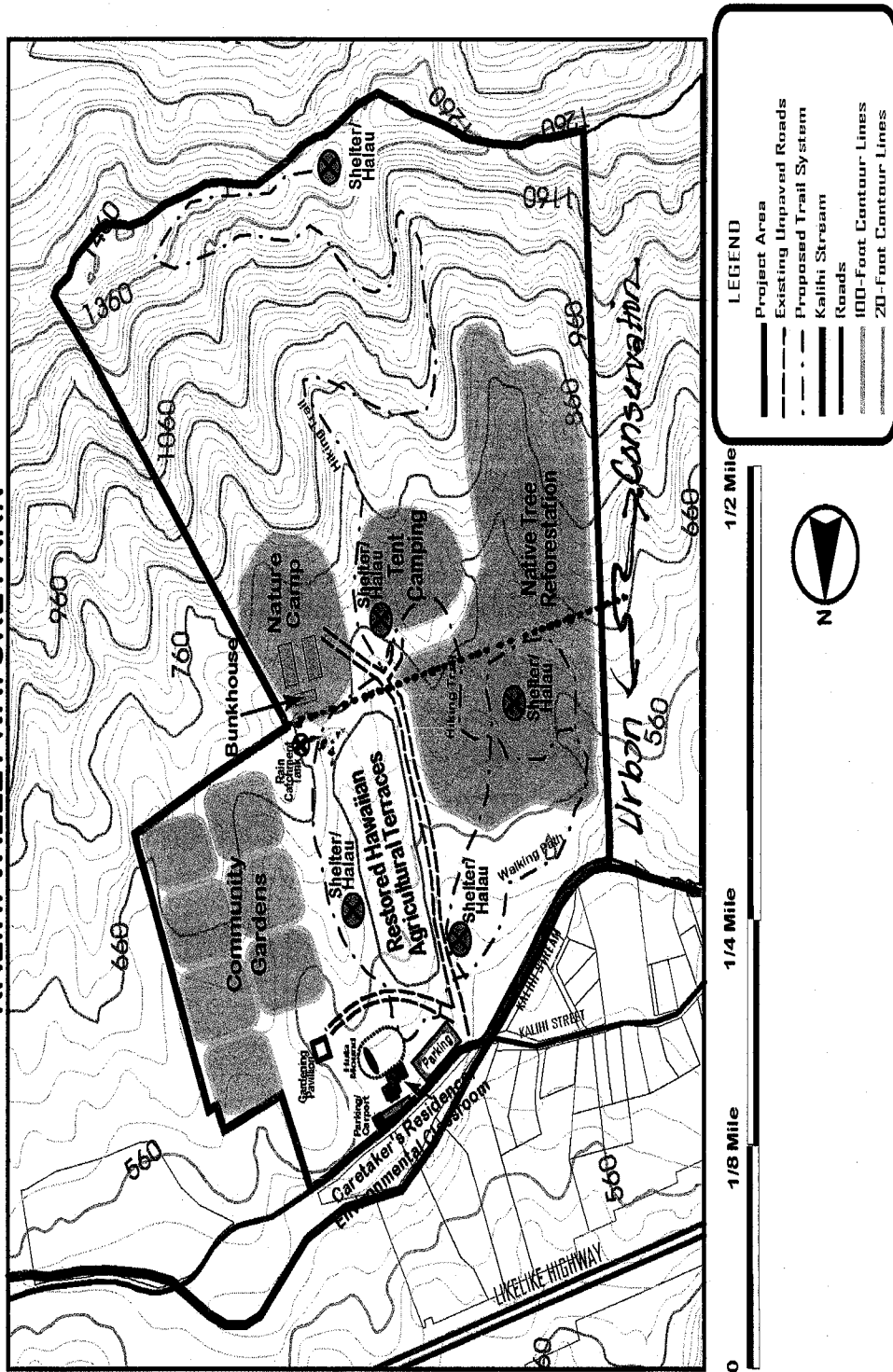


Photo #4. View from Kamañaki Ridge over Kalihi Valley Nature Park site (foreground) to the back of Kalihi Valley and the Ko'olau summit.

## EXHIBIT 4

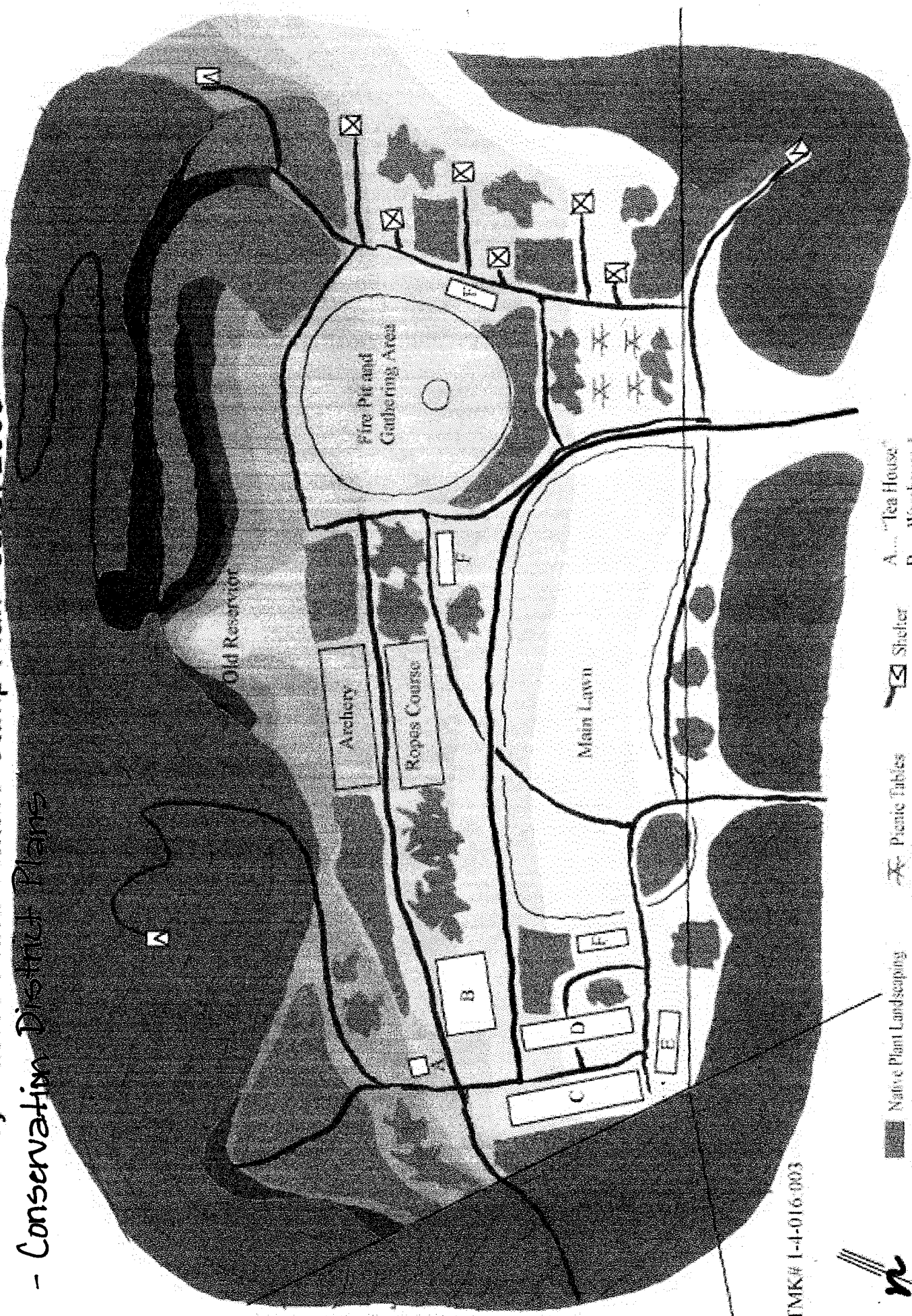
# PRELIMINARY MASTER PLAN MAP OF THE ACTIVE LIVING CENTER KALIHI VALLEY NATURE PARK





- Conservation District Plans

EXHIBIT 6



TMK# 1-4-016-003

- Native Plant Landscaping
- Forested 10 foot Elevation
- Trees
- Picnic Tables
- 10 Foot Elevation
- Driveway
- Shelter
- Yurt
- Foot Path
- Tea House
- Warehouse 1
- Warehouse 2
- Warehouse 3

TMK# 1-4-014-026

- Bunkhouse
- Composting Toilets